

**Senate File 462 - Introduced**

SENATE FILE 462  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1008)

**A BILL FOR**

1 An Act relating to restrictions on bailable defendants charged  
2 with homicide by motor vehicle.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 811.2, subsection 1, Code 2019, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. c. Any bailable defendant who is charged  
4 with unintentionally causing the death of another by operating  
5 a motor vehicle in violation of section 707.6A, subsection 1  
6 or 2, and who is ordered released may, as a condition of that  
7 release, be subject to a court order immediately suspending the  
8 defendant's driver's license and prohibiting the defendant from  
9 operating a motor vehicle, and be placed under supervision.  
10 The clerk of the district court shall, upon entry of the  
11 order, forward notice of the order suspending the defendant's  
12 driver's license to the department of transportation. Upon  
13 receipt of the notice, the department of transportation shall  
14 note the suspension in the defendant's driving record. The  
15 department of transportation shall not issue a new license to  
16 the defendant until the court terminates the order.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with  
19 the explanation's substance by the members of the general assembly.

20 This bill provides that any bailable defendant who is  
21 charged with unintentionally causing the death of another  
22 by operating a motor vehicle in violation of Code section  
23 707.6A(1) (operating-while-intoxicated) or Code section  
24 707.6A(2) (reckless driving or eluding law enforcement) and who  
25 is ordered released may, as a condition of that release, be  
26 subject to a court order immediately suspending the defendant's  
27 driver's license and prohibiting the defendant from operating a  
28 motor vehicle, and be placed under supervision.

29 The bill requires the clerk of the district court to, upon  
30 entry of the order, forward notice of the order suspending  
31 the defendant's driver's license to the department of  
32 transportation (DOT). Upon receipt of the notice, the DOT  
33 must note the suspension in the defendant's driving record.  
34 The bill prohibits the DOT from issuing a new license to the  
35 defendant until the court terminates the order.

1 Under Code section 811.1, a defendant is not bailable if the  
2 defendant is awaiting judgment of conviction and sentencing  
3 following either a plea or verdict of guilty for a charge  
4 under Code section 707.6A(1) or if the defendant is appealing  
5 a conviction for a violation of Code section 707.6A(1)  
6 or 707.6A(2). Therefore, the bill does not apply to such  
7 defendants.